

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA**

In the Matter of: :  
HENSON, JEFF C : CHAPTER 7  
Debtor(s). : CASE NO. 12-30088-JPS

**NOTICE OF MOTION OF TRUSTEE TO SELL DEBTOR'S INTEREST, IF  
ANY, IN REAL PROPERTY OTHER THAN IN THE  
ORDINARY COURSE OF BUSINESS**

THE TRUSTEE HAS FILED A MOTION WITH THE COURT TO SELL THE DEBTOR'S INTEREST, IF ANY, IN REAL ESTATE OF THE ABOVE NAMED DEBTOR TO CTX FUNDING SPE, LLC OR ITS ASSIGNEE FOR \$7,500.00. A COPY OF THE MOTION IS ATTACHED HERETO. THE ESTIMATED COSTS OF THE SALE TO BE DISBURSED AT CLOSING WILL BE AS FOLLOWS:

- (a) real estate transfer tax - \$7.50; and
- (b) net proceeds to Trustee.

**YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)**

IF YOU DO NOT WANT THE COURT TO SELL THE ABOVE DEBTOR'S INTEREST IN REAL ESTATE, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE MOTION, THEN YOU OR YOUR ATTORNEY MUST FILE WITH THE COURT A WRITTEN OBJECTION. THE OBJECTION OR RESPONSE SHOULD BE SENT TO CLERK, UNITED STATES BANKRUPTCY COURT, POST OFFICE BOX 1957, MACON, GEORGIA 31202. IF AN OBJECTION OR RESPONSE IS FILED, A HEARING WILL BE HELD ON **MARCH 12, 2014 AT 2:00 P.M.** AT 115 E. HANCOCK STREET, 2<sup>ND</sup> FLOOR, POST OFFICE BUILDING, ATHENS, GEORGIA.

IF YOU MAIL YOUR RESPONSE OR OBJECTION TO THE COURT FOR FILING, YOU MUST MAIL IT EARLY ENOUGH SO THE COURT WILL **RECEIVE** IT ON OR BEFORE **FEBRUARY 4, 2014**.

ANY HEARING NOTICE MUST ALSO BE MAILED TO THE MOVING PARTY.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE MOTION AND MAY ENTER AN ORDER GRANTING THE MOTION.

Dated this 14 day of January, 2014.

  
\_\_\_\_\_  
WILLIAM M. FLATAU  
State Bar No. 262800

355 Cotton Avenue  
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[billflatau@hotmail.com](mailto:billflatau@hotmail.com)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA**

In the Matter of:	:	
	:	CHAPTER 7
HENSON, JEFF C	:	
	:	CASE NO. 12-30088-JPS
	:	
Debtor(s).	:	

**MOTION OF TRUSTEE TO SELL DEBTOR'S INTEREST, IF ANY, IN REAL  
PROPERTY OTHER THAN IN THE ORDINARY COURSE OF BUSINESS**

COMES NOW, William M. Flatau, Trustee (the "Trustee" or "Movant") in the above-captioned proceeding, and files this motion to sell the debtor's interest, if any, in certain real estate hereinafter described, at private sale, and shows the Court the following:

1.

Movant is the duly qualified and acting trustee in the above case.

2.

The schedules filed in the above case reflected that the debtor held an interest in the following described real property (the "Property"):

All that tract or parcel of land lying and being in Land Lots 40 & 41, 9<sup>th</sup> District, 1<sup>st</sup> Section, Union County, State of Georgia, **consisting of a total of 23.03 acres**, and being Tracts 2 and 5 of Buckhead Subdivision and an additional parcel as shown on a plat of survey by Blairsville Surveying Co., dated December 29, 2001, and recorded in Union County Records in Plat Book 50, page 166. Said recorded plat is incorporated herein, by reference thereto, for a full and complete description of the above described property.

The above described property is a part of that conveyed from Views, Inc. to Raymond Keezer and Angela Keezer by Warranty Deed dated June 19, 1998, and recorded in Deed Book 292, page 637, and that conveyed from Gloria D. Baldwin and Robert V. Baldwin to Angela N. Keezer by Warranty Deed dated October 11, 1996, and recorded in Deed Book 260, page 492, Union County Records.

3.

At the time of the filing of the debtor's petition, all or a part of the Property was subject to a secured claim of Community & Southern Bank for the sum of \$318,374.00.

4.

Pursuant to an agreement entered into between the Trustee as seller and CTX Funding SPE, LLC or its assignee ("CTX") as buyer, the Trustee is to sell the debtor's interest, if any, to Property to CTX or its assignee for the gross amount of \$7,500.00.

5.

The Trustee is advised that the market value of the debtor's interest in the Property does not exceed \$7,500.00.

6.


The Trustee further shows that from the gross proceeds of the sale of \$7,500.00, the following approximate amounts will be disbursed, to wit:

- (a) real estate transfer tax - \$7.50; and
- (b) net proceeds to Trustee.

7.

The Trustee feels that the offer submitted by CTX or its assignee is fair and reasonable under the circumstances and that a sale of the Property would be beneficial to all parties in interest.

WHEREFORE, the Trustee prays that after notice to all parties as required by law, that the Court approve the sale of the Property as requested and that he have such other and further relief as is deemed just.

  
\_\_\_\_\_  
WILLIAM M. FLATAU  
State Bar No. 262800  
Attorney for Trustee

KATZ, FLATAU & BOYER, L.L.P.  
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Macon, Georgia 31201  
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**IN THE UNITED STATES BANKRUPTCY COURT  
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Debtor(s).

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: CASE NO. 12-30088-JPS  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served the Motion of Trustee to Sell the Debtor's Interest, if any, to Real Property Other Than in the Ordinary Course of Business and Notice thereon upon all parties in interest as listed on the debtor's matrix attached hereto by placing copies of same in the U. S. Postal Service with sufficient postage affixed thereto to insure prompt delivery. Elizabeth A. Hardy, Esq., 440 Martin Luther King, Jr. Blvd., Suite 302, Macon, Georgia 31201 was served electronically.

This \_\_\_\_ day of January, 2014.

  
\_\_\_\_\_  
WILLIAM M. FLATAU

Label Matrix for local noticing  
113G-3  
Case 12-30088  
Middle District of Georgia  
Athens  
Mon Jan 13 14:56:05 EST 2014

Clifton Lipford Hardison & Parker, LLC  
1503 Bass Road  
Macon, GA 31210-7511

Community and Southern Bank, c/o Busch, Slip  
3350 Riverwood Parkway  
Suite 1550  
Atlanta, GA 30339-3358

Multibank 2009-1 RES-ADC Venture, LLC  
c/o Morris, Manning & Martin, LLP  
3343 Peachtree Road, NE  
1600 Atlanta Financial Center  
Atlanta, GA 30326

U.S. Trustee - MAC  
440 Martin Luther King Jr. Boulevard  
Suite 302  
Macon, GA 31201-7987

3  
433 Cherry Street  
P.O. Box 1957  
Macon, GA 31202-1957

Alan Bentley  
3600 Pointer Road  
Loganville, GA 30052-2864

BDH Associates, Inc.  
4572 Lawrenceville Hwy.  
Suite 201  
Lilburn, GA 30047-3688

Blue Sky Communities, LLC  
P.O. Box 72  
Good Hope, GA 30641-0072

Blue Skye Investments, LLC  
P.O. Box 72  
Good Hope, GA 30641-0072

Chelsea Henson  
P.O. Box 72  
Good Hope, GA 30641-0072

Community & Southern Bank  
P.O. Box 280  
Carrollton, GA 30112-0005

Community & Southern Bank  
c/o Busch, Slipakoff & Schuh, LLP  
3350 Riverwood Parkway  
Fifteenth Floor  
Atlanta, GA 30339-3358

Community and Southern Bank  
c/o Scott B. Kuperberg  
Busch, Slipakoff & Schuh, LLP  
3350 Riverwood Parkway  
Suite 1550  
Atlanta, Georgia 30339-3358

H & F Developments, LLC  
P.O. Box 72  
Good Hope, GA 30641-0072

HSBC Card Services  
Dept. 9600  
Carol Stream, IL 60128-9600

Katz, Flatau & Boyer, LLP  
c/o William M. Flatau, Esq.  
355 Cotton Avenue  
Macon, Georgia 31201-2636

Leah & Anthony Fortner  
PO Box 503  
Bostwick GA 30623-0503

Multibank 2009-1  
RES-ADC Venture LLC  
700 NW 107 Avenue  
Suite 400  
Miami, FL 33172-3139

Multibank 2009-1 RES-ADC Venture  
c/o Morris, Manning & Martin, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road, NE  
Atlanta, GA 30326-1085

Multibank 2009-1 RES-ADC Venture, LLC  
c/o Lisa Wolgast, Esq.  
Morris, Manning & Martin, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road, NE  
Atlanta, Georgia 30326-1085

Multibank 2009-1 RES-GA BSF, LLC  
c/o Rialto Capitol Advisors, LLC  
700 NW 107th Avenue  
Suite 200  
Miami, FL 33172-3138

National Home Insurance Co.  
c/o Brown and Joseph  
P.O. Box 59838  
Schaumburg, IL 60159-0838

Quantum Servicing  
6302 East MLK Blvd.  
Suite 300  
Tampa, FL 33619-1166

Union County Tax Commissioner  
65 Courthouse Street, Suite 3  
Blairsville, GA 30512-3091

Webb Tanner Powell Mertz, et al.  
P.O. Box 1390  
Lawrenceville, GA 30046-1390

West Asset Management  
P.O. Box 790113  
St. Louis, MO 63179-0113

Ernest V. Harris  
P.O. Box 1586  
Athens, GA 30603-1586

Jeff C. Henson  
P.O. Box 72  
Good Hope, GA 30641-0072

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